

25 George Street, North Strathfield

Proposal Title : **25 George Street, North Strathfield**

Proposal Summary : **The proposal seeks to rezone the subject site from IN1 General Industrial to R3 Medium Density Residential, increase the maximum building height from 12 metres to part 16 metres and part 22 metres and increase the maximum floor space ratio (FSR) from 1:1 to 1.6:1.**

PP Number : **PP_2017_CANAD_001_00**

Dop File No : **16/16078**

Proposal Details

Date Planning
Proposal Received : **02-Mar-2017**

LGA covered : **Canada Bay**

Region : **Metro(CBD)**

RPA : **City of Canada Bay Council**

State Electorate : **DRUMMOYNE**

Section of the Act : **55 - Planning Proposal**

LEP Type : **Spot Rezoning**

Location Details

Street : **25 George Street**

Suburb : **North Strathfield**

City : **Sydney**

Postcode : **2137**

Land Parcel :

Street :

Suburb :

City :

Postcode :

Land Parcel : **SP22302**

DoP Planning Officer Contact Details

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RPA Contact Details

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DoP Project Manager Contact Details

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Land Release Data

Growth Centre :

Release Area Name :

Regional / Sub
Regional Strategy :

Consistent with Strategy :

MDP Number :

Date of Release :

Area of Release (Ha)

Type of Release (eg
Residential /
Employment land) :

No. of Lots : 0

No. of Dwellings : 0
(where relevant) :

Gross Floor Area : 0

No of Jobs Created : 0

The NSW Government Yes

Lobbyists Code of
Conduct has been
complied with :

If No, comment :

The Department of Planning and Environment's Code of Practice in relation to communication and meetings with lobbyists has been complied with. Sydney Region East has not met any lobbyists in relation to this proposal, nor has the Director been advised of any meetings between other Department officers and lobbyists concerning this proposal.

Have there been
meetings or
communications with
registered lobbyists? :

No

If Yes, comment :

Supporting notesInternal Supporting
Notes :**THE SITE AND CONTEXT**

The 7,444 square metre site is currently zoned IN1 General Residential, with a maximum building height of 12 metres and an FSR of 1:1.

The site is located to the north of North Strathfield Railway Station and within the Homebush Precinct as described in the Parramatta Road Urban Transformation Strategy.

The site is currently occupied by an industrial estate development known as "Homebush Industrial Estate". The estate contains a number of smaller industrial tenancies across two buildings built to the northern and southern boundaries.

The following uses are located adjacent to the site:

- north - a mixed-use development containing commercial and residential uses.
- south - a residential development, with open private space located along the southern boundary of the subject site;
- east - the Sydney Trains T1 Northern Line corridor;
- west - low density residential developments, and Argonne Street.

ORIGINAL PROPOSAL

The original proposal outlined;

- a height increase from 12 metres to 22 metres (up to 6 storeys) for the rear of the site (west adjoining the train line) and 16 metres (up to 4 storeys) at the front of the site (east adjoining George Street);
- an FSR increase from 1:1 to 1.6:1;
- a change in zone from IN1 General Industrial to R3 Medium Density Residential.

On 6 September 2016, Council resolved to defer the planning proposal for 25 George Street, North Strathfield, pending improvements to the intersection of George Street, Beronga Street and Pomeroy Street, North Strathfield, approximately 500 metres from the

site. These intersection works are required as part of a separate development consent for a Victoria Avenue community facilities project.

Subsequently, the Applicant submitted a request for a rezoning review, which was held on 24 November 2016. The Sydney Central Planning Panel (the Panel) determined that the proposal should be submitted to Gateway determination because the proposal has strategic and site specific merit.

On 7 February 2017, following consultation with the Applicant, Council determined to submit the planning proposal to the Department of Planning and Environment (the Department) for Gateway determination.

PROPOSED CONTROLS

The proposed controls outlined in the current planning proposal are as follows:

- a height increase from 12 metres to 22 metres (up to 6 storeys) for the rear of the site (west adjoining the train line) and 16 metres (up to 4 storeys) at the front of the site (east adjoining George Street);
- an FSR increase from 1:1 to 1.6:1;
- a change in zone from IN1 General Industrial to R3 Medium Density Residential.

These controls have not been altered since the original proposal submission and would provide for approximately 126 apartments, across three buildings.

The current proposal includes an additional addendum to the original planning proposal which, includes a preliminary site investigation, Concord West Socio-Economic Study, draft Concord West Precinct Master Plan, draft Concord West Precinct Flood Study, draft LEP flood planning controls, a draft flood planning area map, information on proposed community consultation and a project timeline to support the original proposal. The inclusion of the addendum is the result of a resolution from the initial Council meeting (held 6 September 2016).

Council has sought delegation to carry out the Minister's plan-making functions under section 59 of the Environmental Planning and Assessment Act 1979 (the EP&A Act). Given the submission of the proposal in the first instance as a Rezoning Review, the subject sites location in the Parramatta Road Urban Transformation Strategy, and the proposals inconsistency with section 117 Direction, 1.1 Business and Industrial Zones, it is not considered appropriate for Council to be issued authorisation to exercise delegation to make this plan.

External Supporting
Notes :

Adequacy Assessment

Statement of the objectives - s55(2)(a)

Is a statement of the objectives provided? **Yes**

Comment : **The objective of the proposal is to enable the development of the subject site for a residential development in accordance with Council's desired land uses for the site. Council's strategic analysis provides a built form and height that is appropriate for the site and the wider locality.**

Explanation of provisions provided - s55(2)(b)

Is an explanation of provisions provided? **Yes**

Comment : **The proposal seeks the following modifications to the provisions of the Canada Bay LEP 2013:**

- **rezone the subject site from IN1 General Industrial to R3 Medium Density Residential**

- increase the maximum height limit of 22 metres (6 storeys) for the eastern portion of the site;
- increase the 16 metre (4 storey) height limit for the western portion of the site, at the frontage with George Street;
- provide central communal open space, adjacent to the communal open space of 23 George Street.

Justification - s55 (2)(c)

a) Has Council's strategy been agreed to by the Director General? No

b) S 117 directions identified by RPA :

* May need the Director General's agreement

- 1.1 Business and Industrial Zones
- 2.1 Environment Protection Zones
- 2.3 Heritage Conservation
- 3.4 Integrating Land Use and Transport
- 4.1 Acid Sulfate Soils
- 6.3 Site Specific Provisions
- 7.1 Implementation of A Plan for Growing Sydney

Is the Director General's agreement required? No

c) Consistent with Standard Instrument (LEPs) Order 2006 : Yes

d) Which SEPPs have the RPA identified?

SEPP No 55—Remediation of Land
SEPP (Infrastructure) 2007

e) List any other matters that need to be considered :

STATE ENVIRONMENTAL PLANNING POLICIES (SEPPS)

The proposal is considered to be consistent with all relevant SEPPs

SECTION 117 DIRECTIONS

1.1 Business and Industrial Zones

This Direction applies to the planning proposal as it will affect land within an existing or proposed business or industrial zone.

The proposal is considered to be inconsistent with this direction as it does not retain the area and location of existing business or industrial zones.

RECOMMENDATION: The Secretary can be satisfied that the inconsistency is justified by a study (the Parramatta Road Urban Transformation Strategy) that gives consideration to the objective of this Direction in accordance with the Regional Strategy.

7.3 Parramatta Road Corridor Urban Transformation Strategy

This Direction applies to the planning proposal as it will affect land within the Parramatta Road Corridor as identified on the Map titled Parramatta Road Corridor on pages 14 and 15 of the Parramatta Road Corridor Urban Transformation Strategy (November 2016).

The proposal is inconsistent with the Parramatta Road Urban Transformation Strategy (the Strategy), released on 9 November 2016 in that although the zoning and FSR controls are supported by this strategy, the maximum building height recommended by the Strategy is maximum height limit of 12 metres. This means the recommended height is 10 metres lower than the height outlined in the planning proposal for the western portion of the site, and 4 metres lower than the height outlined in the planning proposal for the eastern portion of the site.

The proposal is also inconsistent with the proposed sequencing of the strategy. The subject site lies outside the land release area for 2016-2023 as outlined by the Implementation Plan that supports the strategy.

RECOMMENDATION

To demonstrate consistency with the Parramatta Road Urban Transformation Strategy

and the associated section 117 Direction, the Department deems it appropriate for the proposal to be updated to address the Out-of-Sequence Checklist that is included on page 15 of the Implementation Plan that supports the Strategy.

In terms of the inconsistency with the maximum building height proposed, the Secretary can be satisfied that the inconsistency is justified as the proposed height has been supported by Council's draft Concord West Master Plan strategy (draft Strategy), which has analysed the proposed height in the draft Urban Design Study that supports this strategy. According to this study, the built form controls deliver high quality urban design that are considerate of surrounding built form, and the increased height is appropriate in this context.

It is recommended that Council aim to have this draft Strategy endorsed by the Secretary.

The planning proposal is considered to be consistent with all other relevant section 117 Directions.

Have inconsistencies with items a), b) and d) being adequately justified? **Yes**

If No, explain :

Mapping Provided - s55(2)(d)

Is mapping provided? **Yes**

Comment : **Indicative mapping has been provided with the proposal. Mapping prepared in accordance with DPE technical guidelines will be required for submission at s59 stage.**

Community consultation - s55(2)(e)

Has community consultation been proposed? **Yes**

Comment : **Public consultation will be undertaken in accordance with the Gateway determination. The proposal suggests an exhibition of 14 days. The Department deems an exhibition period of 28 days to be more appropriate, given the planning proposal is not classified as low impact as described in A Guide to Preparing LEPs (Department of Planning and Environment 2016).**

PROJECT TIMELINE

The proposal has provided an indicative project timeline with no completion. The Department considers a 12 month project timeline for completion is adequate.

Additional Director General's requirements

Are there any additional Director General's requirements? **No**

If Yes, reasons :

Overall adequacy of the proposal

Does the proposal meet the adequacy criteria? **Yes**

If No, comment :

Proposal Assessment

Principal LEP:

Due Date :

Comments in relation to Principal LEP : **The Canada Bay LEP was notified in July 2013.**

Assessment Criteria

Need for planning proposal :	A planning proposal is the best way to amend the current controls on the subject site and achieve the redevelopment objectives for the site.
Consistency with strategic planning framework :	DRAFT CONCORD WEST PRECINCT MASTER PLAN The proposal is consistent with the draft Concord West Precinct Master Plan prepared by JBA Consultants on behalf of Canada Bay Council. The draft Master Plan was prepared following the preparation of the Concord West Socio-Economic Study, prepared by Hill PDA Consultants on behalf of Council, to inform how employment lands within the Precinct could be effectively and efficiently used in the future, and ascertain the implications and ramifications of altering the IN1 General Industrial zone. The draft Concord West Precinct Master Plan supports a rezoning and amendment to the controls of the site, consistent with the current proposals explanation of provisions. PARRAMATTA ROAD URBAN TRANSFORMATION STRATEGY The proposal is inconsistent with the Parramatta Road Urban Transformation Strategy (the Strategy), released on 9 November 2016. The planning proposal is to be updated to address the vision and objectives outlined in the Strategy and address the Out-of-Sequence Checklist and the better outcomes requirement of the section 117 Direction. This has been included as a condition of the Gateway. The Strategy also requires the provision of State infrastructure to support the proposed population growth within the eight precincts identified in the Strategy. The Strategy suggests that the planning proposals will pay a contribution toward the provision of this infrastructure. This requirement has been included as a condition of Gateway. DRAFT CENTRAL DISTRICT PLAN The proposal has not addressed the draft Central District Plan, which was released on 21 November 2016. The planning proposal is to be updated to reflect the policies and actions relevant to this draft Plan prior to public exhibition. This has been included as a condition of Gateway.
Environmental social economic impacts :	ENVIRONMENTAL IMPACTS The proposal outlines the subject site has been cleared of the majority of vegetation and is currently used as an industrial business park and does not contain any known critical habitat or threatened species, populations or ecological communities or habitats. Traffic and Transport The proposal includes a Traffic, Transport, Accessibility and Parking Report prepared by GTA Consultants in support of the Concord West study area work, commissioned by Council. This traffic report assumed completion of the improvements to the George Street/Pomeroy Street/Beronga Street intersection that were identified as part of the Traffic, Transport, Servicing and Parking Impact Assessment (prepared by McLaren Traffic Engineering, December 2012) in support of the Victoria Avenue School development application (DA). Roads and Maritime Services (RMS) required the intersection upgrade to enable the development of the school, without which the George/Pomeroy/Beronga Street intersection would have its Level of Service reduced to an extent where the amount of traffic approaching the intersection will exceed that which can pass it, leading to "flow break-down" and "queuing and delays". The Panel recommended that discussions occur between the Council and the applicant prior to exhibition, regarding satisfactory arrangements, in the absence of the improvements being delivered prior to exhibition in accordance with the DA issued for the Victoria Avenue School. The Panel outlined such arrangements could include a proportional financial contribution, reduced parking provision or alternative parking mechanisms (such as a car share or

encouraging active transport) for future developments.

The Department notes that any satisfactory arrangements provisions needs to be negotiated between Council and the applicant.

Given the proposal outlines an increase in density on the site, which will have an impact on the existing traffic issues in the surrounding context of the site, it is appropriate for the RMS to be consulted during public exhibition, to provide comment on the proposal and the appropriateness of the satisfactory arrangements provision negotiated between Council and the applicant in providing a solution to this traffic issue.

Contamination

The proposal is supported by an Preliminary Site Investigation report prepared by DLA Environmental Services. The report outlines the site can be made suitable for the proposed residential use. However, as the site has been used for industrial purposes, a Remediation Action Plan will be required as part of a future development application process.

Acid Sulfate Soils

The subject site is identified as Class 5 on the Acid Sulfate Map in the Canada Bay LEP 2013. A Preliminary Site Investigation report has been prepared by DLA Environmental Services to support the proposal, and outlines the site is suitable for the proposed residential purposes. Further assessment, such as a soil management plan, can be addressed at DA stage.

Flooding

The draft Concord West Precinct Flood Study prepared as part of Concord West study area work (included as Attachment C of the Addendum to the planning proposal) concludes that the subject site is identified to be outside the area affected by the 0.3m Freeboard and 0.5m Freeboard and is not identified on the Flood Planning Area Map in the Canada Bay LEP 2013.

Public and Active Transport

The Traffic, Transport, Accessibility and Parking Report prepared by GTA Consultants outlines that the Concord West Precinct has good accessibility to nearby public transport services and the surrounding walking and cycling network. The Concord West Railway Station is a 700 metre walk from the subject site.

The site is located in close proximity to open space including Bicentennial Park, and recreational facilities including Sydney Olympic Park, which is accessible via a walking and cycling park over Powell's Creek and under Homebush Bay Drive.

Heritage

52 Queen Street is listed in Schedule 5 of the Canada Bay LEP 2013 as having local heritage significance. Given this house is located on the other side of the train line, the risk of any adverse impacts is relatively low.

Overshadowing

Detailed concept designs have been included at Appendix A of the proposal. These outline overshadowing testing that demonstrate that the maximum proposed envelope and indicative scheme generally achieve the areas of consolidated direct sunlight as required by the provisions of the State Environmental Planning Policy 65 - Design Quality of Residential Apartment Development (SEPP 65) and the NSW Apartment Design Guidelines.

Urban Design

The building layout and orientation outlined in Appendix A of the proposal deviates from the proposed built form outlined in the draft Concord West Master Plan. However, the proposal contends this achieves better urban design outcomes. The proposal outlines the proposed open green space which was to be located on the northern boundary in the Master Plan, has been relocated to the southern boundary of the site, to integrate with the neighbouring existing residential development to the south at 23A George Street and this

will provide a better outlook for both residential blocks.

ECONOMIC IMPACTS

Employment

Given the proposal outlines the intent to rezone Industrial to Residential uses, the Hill PDA report prepared as part of the draft Concord West Master Plan, recognises that there could be adverse social impacts owing to some lost local job opportunities. However, further analysis by this study shows that a majority of Concord West's or Canada Bay's residents were not employed in industry, but rather knowledge sector industries, that are not presently permissible uses within the Precinct.

Housing

The Concord West Socio-Economic Study prepared by Hill PDA concludes that "from a social perspective the provision of an array of higher density housing options would create greater housing opportunities and choice". The draft Central District Plan outlines housing target of 2,150 for Canada Bay from 2016-2021, and this proposal will contribute to this goal. Further, the Parramatta Road Urban Transformation Strategy provides for five per cent affordable housing in precincts identified in the corridor.

Affordable Housing

As outlined in the draft Central District Plan, a provision of 5 per cent affordable housing is required when preparing planning proposals or strategic plans for new urban renewal or greenfield areas. The relevant planning authority will include an Affordable Rental Housing Target as a form of inclusionary zoning.

The Parramatta Road Urban Transformation Strategy, outlines a minimum of five per cent of new housing is Affordable Housing (or in line with Government policy of the day), catering for single households, older people or different household structures.

It is recommended that the proposal be updated prior to community consultation, to address this requirement of the strategy, in line with the Out-of-Sequence Checklist, Criteria 1.

SOCIAL IMPACTS

State Infrastructure Provision

As outlined in the Parramatta Road Urban Transformation Strategy, any population growth in the eight precincts achieved by way of a planning proposal requires a contribution toward the provision of infrastructure. This requirement has been included as a condition of Gateway.

Assessment Process

Proposal type	Routine	Community Consultation Period :	28 Days
Timeframe to make LEP :	12 months	Delegation	RPA
Public Authority Consultation - 56(2)(d)	Department of Education and Communities		
Is Public Hearing by the PAC required?	No		
(2)(a) Should the matter proceed ?	Yes		
If no, provide reasons :			

25 George Street, North Strathfield

Resubmission - s56(2)(b) : **No**

If Yes, reasons :

Identify any additional studies, if required :

If Other, provide reasons :

Identify any internal consultations, if required :

No internal consultation required

Is the provision and funding of state infrastructure relevant to this plan? **Yes**

If Yes, reasons :

The proposal will increase the density of the site. Existing infrastructure servicing the site may not have the capacity to accommodate future development. It is expected that these services would be upgraded by the developer, where required, to support the proposed development. Therefore, Utilities should be consulted as part of the Gateway determination to address any upgrade requirements.

Documents

Document File Name	DocumentType Name	Is Public
1 - Cover Letter - 25 George Street, North Strathfield.pdf	Proposal Covering Letter	Yes
2.1 - Planning Proposal - 25 George St, North Strathfield - Part 1.pdf	Proposal	Yes
2.2 - Planning Proposal - 25 George St, North Strathfield - Part 2.pdf	Proposal	Yes
2.3 - Planning Proposal - 25 George St, North Strathfield - Part 3.pdf	Proposal	Yes
2.4 - Planning Proposal - 25 George St, North Strathfield - Part 4.pdf	Proposal	Yes
3.1 - Addendum to Planning Proposal - Part 1.pdf	Proposal	Yes
3.2 - Addendum to Planning Proposal - Part 2.pdf	Proposal	Yes
3.3 - Addendum to Planning Proposal - Part 3.pdf	Proposal	Yes
3.4 - Addendum to Planning Proposal - Part 4.pdf	Proposal	Yes
3.5 - Addendum to Planning Proposal - Part 5.pdf	Proposal	Yes
3.6 - Addendum to Planning Proposal - Part 6.pdf	Proposal	Yes
3.7 - Addendum to Planning Proposal - Part 7.pdf	Proposal	Yes
4 - Council Report and resolution of Council - 6 September 2016.pdf	Proposal	Yes
5 - Rezoning Review, Record of Decision - 24 November 2016.pdf	Proposal	Yes
6 - Council Report and resolution of Council - 7 Feb 2017.pdf	Proposal	Yes
7 - Relevant Planning Authority, Council Letter of acceptance.pdf	Proposal	Yes

Planning Team Recommendation

Preparation of the planning proposal supported at this stage : **Recommended with Conditions**

S.117 directions:

- 1.1 Business and Industrial Zones**
- 2.1 Environment Protection Zones**
- 2.3 Heritage Conservation**
- 3.4 Integrating Land Use and Transport**
- 4.1 Acid Sulfate Soils**
- 6.3 Site Specific Provisions**
- 7.1 Implementation of A Plan for Growing Sydney**

Additional Information : **It is recommended that the planning proposal proceed subject to the following**

conditions:

1. Prior to community consultation, Council is to:

- (a) update the planning proposal to address the Out-of-Sequence Checklist outlined in the Parramatta Road Corridor Urban Transformation Strategy, released November 2016, to demonstrate consistency with the section 117 Direction associated with this strategy;
- (b) update the planning proposal to address the policies and actions outlined in the draft Central District Plan that are relevant to this proposal;
- (c) include a satisfactory arrangements provision for contributions to designated State public infrastructure identified as part of the Parramatta Road Urban Transformation Strategy.

2. Community consultation is required under sections 56(2)(c) and 57 of the Act as follows:

- (a) the planning proposal must be made publicly available for a minimum of 28 days; and
- (b) the relevant planning authority must comply with the notice requirements for public exhibition of planning proposals and the specifications for material that must be made publicly available along with planning proposals as identified in section 5.5.2 of A Guide to Preparing LEPs (Department of Planning and Environment 2016).

2. Consultation is required with the following public authorities under section 56(2)(d) of the Act and/or to comply with the requirements of relevant S117 Directions:

- Roads and Maritime Services
- Transport for NSW
- Energy Australia
- Sydney Water
- NSW Department of Education

Each public authority is to be provided with a copy of the planning proposal and any relevant supporting material, and given at least 21 days to comment on the proposal.

3. A public hearing is not required to be held into the matter by any person or body under section 56(2)(e) of the Act. This does not discharge Council from any obligation it may otherwise have to conduct a public hearing (for example, in response to a submission or if reclassifying land).

4. The timeframe for completing the LEP is to be 12 months from the week following the date of the Gateway determination.

Supporting Reasons :

The proposal is supported as it demonstrates consistency with Council's draft Concord West Master Plan, and minor inconsistencies with the Parramatta Road Urban Transformation Strategy.

Signature:



Printed Name:

Sandy Chappel

Date:

22.3.17